

DOCKET NO.: TAK-0357
Application No.: 09/724,979
Office Action Dated: January 30, 2003

PATENT

REMARKS/ARGUMENTS

Reconsideration and allowance of the above-captioned patent application are respectfully requested. Claims 1-7 are pending. Claims 3-7 have been allowed and claims 1-2 stand rejected.

In the Office Action, claims 1-2 have been rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1, 4-5, 9 and 11 of U.S. Patent No. 6,462,531. In response, the Applicants hereby submit a Terminal Disclaimer. Accordingly, withdrawal of the double patenting rejection is requested.

Upon entry of this response and the attached Terminal Disclaimer, the present application will be in condition for allowance. A Notice of Allowability is respectfully requested.

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